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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 Case No. CR10-349-JLR

12 v.

13 DOROND ALFRED BRAY,

14 Defendant.

15 **PROPOSED FINDINGS OF FACT**
16 **AND DETERMINATION AS TO**
17 **ALLEGED VIOLATIONS OF**
18 **SUPERVISED RELEASE**

19 **INTRODUCTION**

20 I conducted a hearing on alleged violations of supervised release in this case on August 24,
21 2011. The defendant appeared pursuant to a warrant issued in this case. The United States was
22 represented by Francis Franze-Nakamura, and defendant was represented by Kyana Stephens.
23 Also present was U.S. Probation Officer Sarah Johnson. The proceedings were digitally
recorded.

19 **SENTENCE AND PRIOR ACTION**

20 Defendant was sentenced on February 7, 2002, in the Eastern District of Washington by the
21 Honorable Edward F. Shea for Carrying a Firearm During and In Relation to a Crime of
22 violence, Armed Bank Robbery, and Armed Credit Union Robbery. He received 120 months
23 detention and 5 years of supervised release.

1 On November 22, 2010, jurisdiction of this case was transferred from the Eastern District of
2 Washington to the Western District of Washington.

3 **PRESENTLY ALLEGED VIOLATIONS**

4 In a petition dated August 18, 2011, Assistant Chief U.S. Probation Officer Timothy
5 Manion alleged that defendant violated the following conditions of supervised release:

6 1. Failing to appear for drug testing on or about April 28, 2011, in violation of
7 condition number 24.

8 2. Using of controlled substance, marijuana, on or before April 5, 2011, in violation of
9 condition number 24.

10 3. Failing to notify the probation officer within 72 hours of being arrested or
11 questioned by a law enforcement officer as required by condition number 11.

12 4. Committing the crime of Assault on or about May 17, 2011, in violation of the
13 condition of supervision that he not commit another federal, state, or local crime.

14 5. Failing to notify the probation officer within 72 hours of being arrested or
15 questioned by a law enforcement officer as required by condition number 11.

16 6. Failing to submit monthly report forms for the months of April, May, June, and July
17 2011 in violation of condition number 2.

18 7. Failing to report to the probation office on August 16, 2011, as instructed violation
19 of condition number 2.

20 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

21 The parties stipulated to amend violation number 5 to Failing to notify the probation officer
22 within 72 hours of being arrested or questioned by a law enforcement officer on July 11, 2011.
23 Defendant admitted the above violations, waived any hearing as to whether they occurred, and

1 was informed the matter would be set for a disposition hearing on September 7, 2011 at 11:00
2 a.m. before District Judge Marsha J. Pechman.

3 **RECOMMENDED FINDINGS AND CONCLUSIONS**

4 Based upon the foregoing, I recommend the court find that defendant has violated the
5 conditions of his supervised release as alleged above, and conduct a disposition hearing.

6 DATED this 24th day of August, 2011.

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8 BRIAN A. TSUCHIDA
9 United States Magistrate Judge
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